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AND SRI LANKA

December 10, 2019

VIA ECF

Judge Paul S. Diamond  
U.S. District Court, Eastern District of Pennsylvania  
Room 14614, 601 Market Street  
Philadelphia, PA 19106-1743

Re: **16-CV-6287 (PD)**

Dear Judge Diamond:

This Firm is counsel to Election Systems & Software, LLC ("ES&S"). We have advised counsel for the Plaintiffs and the Defendants in the above-captioned matter of our client's interest in filing a motion for leave to file an amicus brief in support of Defendants' opposition to Plaintiffs' November 26, 2019 Motion to Enforce (Dkt. 112), which Motion to Enforce expressly refers to voting machines provided by ES&S.

The City of Philadelphia and the Philadelphia Board of Elections, represented by Benjamin H. Field, Divisional Deputy City Solicitor in the City of Philadelphia Law Department, likewise has advised counsel for the Plaintiffs and the Defendants of their interest in filing a motion for leave to intervene in this case. The City of Philadelphia has procured and implemented the voting machines referred to in Plaintiffs' motion.

We write jointly to request that ES&S, the City of Philadelphia, and the Philadelphia Board of Elections be permitted to file their respective motions for leave on or before December 17, 2019. Plaintiffs and Defendants have consented to this timeframe. A proposed Order is enclosed for the Court's convenience.

Respectfully submitted,

/s/ Luke P. McLoughlin

Luke P. McLoughlin

cc: Alan C. Kessler, Esq.

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Benjamin H. Field, Esq. (*counsel for the City of Philadelphia and the Philadelphia Board  
of Elections*)  
All Counsel of Record

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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JILL STEIN, et al.,

Plaintiffs,

v.

KATHY BOOCKVAR, in her official capacity  
as Acting Secretary of the Commonwealth, and  
JONATHAN MARKS, in his official capacity  
as Commissioner of the Bureau of  
Commissions, Elections and Legislation,

Defendants.

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CIVIL ACTION

No. 16-cv-6287(PD)

**ORDER**

**AND NOW**, based on the consent of the parties, it is hereby ORDERED that Election Systems & Software, LLC, the City of Philadelphia, and the Philadelphia Board of Elections are permitted to file motions on or before December 17, 2019 seeking leave to file a brief *amicus curiae* or to intervene.

SO ORDERED

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